

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COLUMBUS O. WINTERS : CIVIL ACTION
v. :
UNITED STATES OF AMERICA, : NO. 11-2692

ORDER DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

AND NOW, on this 5th day of April, 2012, upon consideration of Defendant's Motion for Summary Judgment (ECF No. 16), and Plaintiff's response thereto, and for the reasons discussed in the accompanying Memorandum of Law, it is hereby ORDERED as follows:

- (1) Defendants' Motion (ECF No. 16) is DENIED.
- (2) The Court will list this case as backup for trial starting on May 7, 2012. If this case is not tried that week, the Court intends to try this case in the following weeks, but no later than July 30, 2012.
- (3) A final pretrial telephone conference will be held by telephone on Wednesday, April 11, 2012 at 2:30 p.m. Plaintiff's counsel will initiate the telephone conference and when all counsel are on the line, call Chambers at 267.299.7520.

BY THE COURT:

s/Michael M. Baylson

Michael M. Baylson, U.S.D.J.